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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/156,541	09/17/1998	ROY HAROLD MAUGER		1213

7590 11/19/2003
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EXAMINER

HARPER, KEVIN C

ART UNIT PAPER NUMBER

2666

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/156,541

Applicant(s)

MAUGER ET AL.

Examiner

Kevin C. Harper

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-22, 27-38 and 40 is/are pending in the application.
- 4a) Of the above claim(s) 27-37 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-22, 38 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

Response to Arguments

Applicant's arguments with respect to claims 12-22, 38 and 40 have been considered but are moot in view of the new ground(s) of rejection.

The indicated allowability of claims 12-22, 38 and 40 is withdrawn in view of the newly discovered reference(s) to Arango (US 5,732,078) and Tonnby et al. (US 6,295,293). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 12, 14-22, 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arango (US 5,732,078) in view of Tonnby et al. (US 6,295,293).

1. Regarding claims 12, 14-15, 38 and 40, Arango discloses a system having a narrowband to broadband interface (Figure 7, item 320; col. 14, lines 45-48; col. 14, lines 49-55; col. 9, lines 35-36 and 45-47; note: ATM) having inherent network adapters for supporting communication functions (Figure 1; col. 15, lines 6-8; col. 15, lines 15-21) coupled to narrowband trunks. The system includes a call server (Figure 7, item 328) for making an interconnection between a narrowband trunk and a broadband network (item 260) having inherent virtual channels. However, does not disclose second call server supporting a different communication function. Tonnby discloses an IP call server (Figure 4, item 32) for aiding in Internet access (col. 7, line 65 through col. 8, lines 5). Therefore, it would have

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been obvious to have a second call server in the invention of Arango in order to aid in transmitting data over the Internet for time-insensitive data.

2. Regarding claims 16-20 and 22, the address information between a narrowband trunk and a packet network are mapped (col. 15, lines 46-51) using a memory.

3. Regarding claim 21, the system includes a fabric application interface (Figure 7, item 222).

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Arango in view of Tonnby as applied to claim 12 above, and further in view of Bernardis et al. (SU 4,782,517).

4. Arango in view of Tonnby does not disclose that a communication service is a trial service. Bernardis discloses using trial services in a network in order to determine the feasibility of the service (col. 1, lines 12-29). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a trial service for one of the communication functions in the invention of Arango in view of Tonnby in order to test and refine a new communication function available to the network.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 9:30 AM to 8:00 PM ET.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 703-308-5463. The centralized fax number for the Patent Office is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



November 16, 2003

Seema S. Rao

SEEMA S. RAO

11/17/03

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600